



O I P E
JUL 28 2004
JC95
PATENT AND TRADEMARK OFFICE
RECEIVED

JUL 29 2004

Page 1 of 1 /FW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,410	03/16/2004	David L. Polston	P-109301.2 (UTI)(CIP)

Daniel D. Chapman, Esq.
JACKSON WALKER L.L.P.
Suite 2100
112 E. Pecan Street
San Antonio, TX 78205

CONFIRMATION NO. 5095
FORMALITIES LETTER



OC000000012835127

Date Mailed: 06/01/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement claim(s) commencing on a separate sheet in compliance with 37 CFR 1.75(h) and 1.121 is required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: David Polston SERIAL NO. 10/801,410 FILED: March 16, 2004	ATTY DKT NO. P-109301.2(UTI)(CIP) GROUP NO.: EXAMINER:
TITLE: A PROTOCOL FOR SAMPLING AND TESTING COMPOSITIONS RELATED TO A METHOD FOR MAKING ROAD BASE FROM OIL AND GAS WASTE	
TO: Mail Stop Missing Parts Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450	

RESPONSE TO NOTICE OF TO FILE CORRECTED APPLICATION PAPERS

This correspondence is being filed as a full response to the NOTICE TO FILE CORRECTED APPLICATION PAPERS mailed June 1, 2004. A copy of the NOTICE TO FILE CORRECTED APPLICATION PAPERS is enclosed with this response.

In response to the requirements of the NOTICE Applicant submits herewith substitute pages of claims commencing on a separate sheet in compliance with 37 CFR 1.75(h) and 1.121.

Respectfully submitted,
JACKSON WALKER L.L.P.

Daniel D. Chapman, Reg. No. 32,726
112 E. Pecan Street, Suite 2100
San Antonio, Texas 78205
Phone: (210) 978-7700
Fax: (210) 978-7790
Attorneys for Applicant

Date: July 28, 2004



CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited on the date shown below with the United States Postal Service in an envelope addressed to the "Mail Stop Response, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", as follows:

<u>37 CFR 1.8(a)</u>	<u>37 CFR 1.10</u>
[<input type="checkbox"/>] With sufficient postage as First Class Mail. Date: _____, 2004.	[<input type="checkbox"/>] As "Express Mail Post Office to Addressee", Mailing Label No. <u>EV426586765US</u> Date: <u>7/28/04</u> , 2004.

Belen Longoria
Printed Name of Person Mailing Paper or Fee

Belen Longoria
Signature of Person Mailing Paper or Fee